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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 GARY HERNANDEZ,

11 Plaintiff(s),

12 vs.

13 PRO-TECT SECURITY SERVICES, LLC, et al.,

14 Defendant(s).

Case No. 2:13-cv-02187-RFB-NJK

ORDER

15 On April 20, 2015, the Court granted the Plaintiff's motion for a settlement conference.  
16 Docket No. 40. The Court hereby **SETS** a settlement conference to commence at **10:00 a.m. on**  
17 **July 20, 2015** in the chambers of the undersigned Magistrate Judge, Third Floor, Lloyd D. George  
18 United States Courthouse, 333 Las Vegas Boulevard South, Las Vegas, Nevada.

19 Unless ordered otherwise, the following individual(s) are **required to be present in person**  
20 **for the duration of the settlement conference:**

- 21 1. All counsel of record who will be participating in the trial;  
22 2. All parties appearing pro se;  
23 3. All individual parties;  
24 4. In the case of non-individual parties, an officer or representative with binding  
25 authority to settle this matter up to the full amount of the claim or last demand made;  
26 5. If any party is subject to coverage by an insurance carrier, then a representative of the  
27 insurance carrier with authority to settle this matter up to the full amount of the claim  
28 or last demand.

Any request for an exception to the above personal attendance requirements must be filed and served on all parties within seven (7) days of the issuance of this order. Such a request will be strictly scrutinized for a showing of compelling justification.<sup>1</sup>

#### **PREPARATION FOR SETTLEMENT CONFERENCE**

In preparation for the settlement conference, each party shall submit a confidential settlement conference statement for in camera review. The statement shall contain the following:

1. A brief statement of the nature of the action.
2. The names of the people who will attend the settlement conference.
3. A concise summary of the evidence that supports your theory of the case, including the names of individuals disclosed pursuant to Rule 26(a)(1)(A)(i), the Rule 26(a)(1)(A)(iii) computation of damages, and the Rule 26(a)(1)(A)(iv) insurance information. You must provide all information which documents or supports your damages claims. Copies of medical records or treatment records need not be submitted but, rather, shall be provided in a table or summary format.
4. Attach to your statement any documents or exhibits which are relevant to key factual or legal issues, including selected pages from deposition transcripts or responses to other discovery requests.
5. An analysis of the key issues involved in the litigation. The analysis must include a discussion of the strongest points in your case, both legal and factual, and a frank discussion of the weakest points as well. The Court expects you to present a thorough analysis of the key issues and candid evaluation of the merits of your case.
6. Identify and explain any obstacles to settlement, e.g. medical liens, statutory caps, or motions pending before the Court.
7. The history of settlement discussions, if any, which have occurred in this case. Provide any demands, offers, or offers of judgment that have been made and, if applicable, the reasons they have been rejected. Attach a copy of all settlement correspondence, including all

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<sup>1</sup> As stated on the record, Defendant's request to have it insurance representative appear telephonically has already been DENIED. See Docket No. 44.

1 written demands or offers and responses thereto.

2 8. Provide the initial settlement proposal that will be presented at the settlement  
3 conference with a justification for any monetary amount. The proposal must include any non-  
4 monetary settlement terms that will be presented.

5 The settlement conference statements shall be received in chambers not later than **July 13,**  
6 **2015. DO NOT SERVE A COPY ON OPPOSING COUNSEL. DO NOT DELIVER OR**  
7 **MAIL COPIES TO THE CLERK'S OFFICE.**

8 The purpose of the statement is to assist the undersigned Magistrate Judge in preparing for  
9 and conducting the settlement conference. In order to facilitate a meaningful conference, your  
10 utmost candor in responding to all of the above-listed questions is required. **The settlement**  
11 **conference statement will remain confidential.** If this case does not settle, the settlement  
12 conference statement will not be disclosed to the judge who ultimately presides over the trial. Each  
13 statement will be securely maintained in my chambers, and will be destroyed following the  
14 conference.

15 **In addition to the above requirements, the parties and counsel must be substantially**  
16 **prepared to meaningfully participate in the Settlement Conference in good faith.**

17 **FAILURE TO COMPLY WITH THE REQUIREMENTS SET FORTH IN THIS**  
18 **ORDER WILL SUBJECT THE NON-COMPLIANT PARTY AND/OR COUNSEL TO**  
19 **SANCTIONS UNDER FEDERAL RULE OF CIVIL PROCEDURE 16(f).**

20 DATED: April 20, 2015

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24 Nancy J. Koppe  
25 United States Magistrate Judge  
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